Contracting Around Class Actions, a Win for Employers

Insight

A recent Ninth Circuit ruling that Uber's arbitration agreements did not violate the National Labor Relations Act provides a major victory to Uber by requiring each plaintiff to separately arbitrate his or her claims.

Biglaw Practice Leader Encourages Women to Tell Him If They Plan on Becoming Pregnant – For 'Budgetary Reasons'

News

Above the Law reports that women in the Jones Day Business and Tort Litigation group have been "encouraged" to tell management if they were pregnant or planning on becoming pregnant within the next year.

China Contracts: Not Quite Legal Usually Means 100% Illegal

Insight

A less than fully legal, truly enforceable contract is no contract at all, warns Dan Harris of Harris Bricken, LLP, writing in China Law Blog.

Overqualified? Or Too Old? Ex-GC's Age Discrimination Case Takes Aim at Biased Recruiting Practices

News

The Chicago Tribune tells the story of a former general counsel who had been unemployed and job hunting for three years when he came across a position that seemed promising, but the part that excluded any applicants with his years of experience.

Federal Appeals Court Rules Uber Can Force Drivers Into Individual Arbitration, Voids Class-Action

News

The U.S. 9th Circuit Court of Appeals in San Francisco overturned a lower-court order that had certified the drivers' class-action effort.

Non-Enforcement of Non-Competes: What's an Employer to Do?

Insight

Companies should consider the reasonableness of the restrictions and consider whether the restrictions can be tied to legitimate protectable business interests, advises Baker, Donelson, Bearman, Caldwell & Berkowitz, PC.

No Law Prohibits a Sudden NFL

Retirement

Insight

Surprising as it seems, an NFL football player, a CEO or a partner in a partnership can generally walk off the job at any time, says Dallas labor and employment attorney Rogge Dunn of Rogge Dunn Group, PC.

What CA Employers Need to Know About Wage & Hour Class Actions and PAGA Lawsuits

News

Carothers DiSante & Freudenberger LLP will present a webinar discussing new developments in California wage and hour laws that provoke class action litigation and will offer ways to avoid, manage and resolve these issues.

IBM Sued for Age Discrimination After Thousands of Older Workers

Laid Off

News

The lawsuit alleges that the plaintiffs are among thousands of IBM employees to be laid off recently as the result of a shift in IBM's focus to recruit millennials, reports *USA Today*.

Former Partner Hits Biglaw Firm With Explosive Gender Discrimination Charge

News

Rebecca Torrey's filing details allegations of a "boys' club" an environment that weighs "heavily in the favor of male partners."

NDAs: Confidentiality and Context in the Workplace

Insight

While threats of enforcement as to the agreement Omarosa Manigault signed while part of the administration have been bantered about, it appears that the legal battle will focus on an NDA she signed while working on the campaign, according to Obermayer Rebmann Maxwell & Hippel .

JPMorgan Chase Will Pay $24 Million to End Lawsuit From Black Advisers

News

The company will also put $4.5 million into a fund that will back recruitment, bias training, a review of branch assignments and a coaching program for black advisers.

Seminar: 2018 Employment Law Update

Event, Sept. 13, 2018, Denver

Holland & Hart will present a complimentary half-day seminar on the latest developments in labor and employment law.

Morgan Stanley Lawsuit Highlights Pitfalls of

Emailed Employee Contracts

Insight

A lower court had ruled that an employment-arbitration agreement between Morgan Stanley and the employee was enforceable, even though the former sales assistant claimed she never read a 2015 email.

Five Issues When An Employer Is Considering An Employment Agreement

Insight

When operating its business, an employer should consider whether and when to implement employment agreements with certain employees, explains Judy Yi in a post for Polsinelli.

Partner Settles Bias Suit Against Her Law Firm, Proskauer

News

The partner alleged the firm’s hostile treatment caused her to take medical leave to deal with psychological and physical symptoms of emotional distress.

How Fair – or Legal – are Non-poaching Agreements?

Insight

Franchisors have these agreements with their franchisees in order to prevent employees from leaving one franchise to join another within the same chain.

Top 10 Mistakes When Drafting Non-Competes in the Oil Patch

Podcast

Bruce “Chip” Morris of Kane Russell Coleman Logan has posted a new podcast in the firm’s Energy Law Today blog about the top 10 mistakes employers can make—in the oilfield, and beyond—when drafting non-compete agreements.

Invention Assignment Agreements – How to Avoid

Pitfalls

Insight

Agreements should also be drafted to encompass the widest range of intellectual property possible, advises Jeffrey A. Simmons of Foley & Lardner.

Non-Compete: Who is the Bad Actor?

Insight

The Labor & Employment Law Perspectives blog of Foley & Lardner discusses the increased attention paid to restrictive covenants and the increase in litigation as employers seek to protect their confidential information and prevent a loss of business.